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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,551	02/16/2001	Petter Ericson	64242	3125

7590 05/13/2004
NORMAN H. ZIVIN
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1185 Avenue of the Americas
New York, NY 10036

EXAMINER

SAID, MANSOUR M

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 05/13/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

A24

Office Action Summary	Application No.		Applicant(s)	
	09/784,551		ERICSON ET AL.	
	Examiner		Art Unit	
	MANSOUR M SAID		2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,16,22-27,30,31 and 44-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16,24-27,31 and 44-71 is/are allowed.
- 6) ☒ Claim(s) 1,2,22,23 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 45 is objected to because of the following informalities: Claim 45 depends to the cancelled claim 43. Appropriate correction is required.

Response to Amendment

2. This Office Action is in respond to the amendment filed on January 28, 2004; and new claims (44-69) have been added.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 30 is rejected under 35 U.S.C. 102(e) as being anticipated by Chan et al. (6,061;051; hereinafter referred to as Chan).

Chan teaches an absolute position-coding pattern (absolute motion digital codes) in order to cause an input unit arrangement preferably with a mouse function mode to switch from a first (pen input mode) to a second function (pen input mouse) (column 8, lines 1-19; column 11, lines 48-63 and column 13, line 66 through column 14, line 4).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan in view of Flores et al. (6310988 B1; hereinafter referred to as Flores).

As to claim 1, Chan teaches an absolute position-coding pattern (absolute motion digital codes) in order to cause an input unit arrangement preferably with a mouse function mode to characterized in that the input unit arrangement is arranged to switch from a first (pen input mode) to a second function (pen input mouse) (column 8, lines 1-19; column 11, lines 48-63 and column 13, line 66 through column 14, line 4).

Chan does not expressly disclose an input device with an image recording that a signal-processing device detects a predetermined position-coding pattern in one of the images.

However, Flores teaches an input device with an image recording that a signal-processing device detects a predetermined position-coding pattern in one of the images (figures 17-22; 27 & 28; column 11, lines 30-62; column 14, lines 33-67 and column 15, lines 9-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Flores's camera pen into Chan's system so as to capture a user selected portion on the glyph address carpet (column 11, lines 31-33).

As to claim 1, Chan teaches an absolute position-coding pattern (absolute motion digital codes) in order to cause an input unit arrangement preferably with a mouse function mode to

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characterized in that the input unit arrangement is arranged to switch from a first (pen input mode) to a second function (pen input mouse) (column 8, lines 1-19; column 11, lines 48-63 and column 13, line 66 through column 14, line 4).

Chan does not expressly disclose the signal-processing device detects a different pattern to the predetermined position-coding pattern in one of said images.

However, Flores teaches the signal-processing device detects a different pattern to the predetermined position-coding pattern in one of said images.

(figures 17-22; 27 & 28; column 11, lines 30-62; column 14, lines 33-67 and column 15, lines 9-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Flores's camera pen into Chan's system so as to capture a user selected portion on the glyph address carpet (column 11, lines 31-33).

function mode when

As to claim 22, Chan teaches an absolute position-coding pattern (absolute motion digital codes) in order to cause an input unit arrangement preferably with a mouse function mode to characterized in that the input unit arrangement is arranged to switch from a first (pen input mode) to a second function (pen input mouse) (column 8, lines 1-19; column 11, lines 48-63 and column 13, line 66 through column 14, line 4).

Chan does not expressly disclose an input device with an image recording that a signal-processing device detects a predetermined position-coding pattern in one of the images.

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However, Flores teaches an input device with an image recording that a signal-processing device detects a predetermined position-coding pattern in one of the images (figures 17-22; 27 & 28; column 11, lines 30-62; column 14, lines 33-67 and column 15, lines 9-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Flores's camera pen into Chan's system so as to capture a user selected portion on the glyph address carpet (column 11, lines 31-33).

As to claim 23, Flores teaches that the signal-processing device is designed to process the images to achieve at least one of the functions (figure 17; column 11, lines 43-62 and column 14, lines 55-65).

Allowable Subject Matter

7. Claims 16, 24-27, 31 and 44-71 are allowed.

Response to Arguments

8. Applicant's arguments with respect to claims 1-2, 22-23 and 30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lewis et al. (5,294,792) disclose an input device having a writing tip position sensing and processing apparatus.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mansour M. Said** whose telephone number is **(703) 306-5411**.

The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Shalwala Bipin**, can be reached at **(703) 305-4938**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:


(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer service Office whose telephone number is (703) 306-0377.

May 10, 2005

Mansour M. Said


BIPIN SHALWALA
SUPPLEMENTARY PATENT EXAMINER
TECHNOLOGY CENTER 2600